

## **FISCAL NOTE**

### **SB 2709 - HB 2825**

March 11, 2006

**SUMMARY OF BILL:** Increases fines and terms of imprisonment for certain types of Class E felony violation of the sexual offender registration law, including failure to timely register and falsification of a TBI registration form. Penalty for first offense would increase from a minimum \$350 fine and 90 days to a minimum \$500 and 180 days; for a second offense, from a minimum \$600 fine and 180 days to a minimum \$800 and one year; and for a third or subsequent violation, from a minimum \$1,100 fine and one year to a minimum \$1,500 and two years.

### **ESTIMATED FISCAL IMPACT:**

#### **Increase State Expenditures - \$59,000 / Incarceration\***

##### Assumptions:

- According to the Department of Correction (DOC), during FY04-05, there were eight admissions for non-technical violations of the sexual offender registration law.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years, yielding a projected compound population growth of 13.6% over the past ten years.
- Six offenders will be convicted in the first year and will serve an additional 90 days. Population growth of 1.09 percent per year will result in one additional offender charged with this offense in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based upon 7 offenders serving an additional 90 days.
- Seven offenders each year will serve an additional 90 days (an increase from 90 to 180 days). According to DOC, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate at 90 days is \$4,501.80 (\$50.02 x 90 days). The cost per inmate at 180 days is \$9,003.60 (\$50.02 x 180 days). The additional cost from increasing the length of the sentence is \$4,501.03 per offender (\$9,003.60 - \$4,501.80). The total additional operating cost for seven offenders per year is \$31,512.60 (\$4,501.03 x 7).
- One offender each year will serve an additional 182.63 days (an increase from 180 days to one year). The cost per inmate at 180 days is

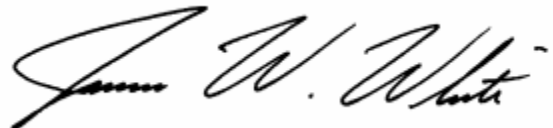
\$9,003.60 (\$50.02 x 180 days). The cost per inmate at one year is \$18,269.81 (\$50.02 x 365.25 days). The additional cost from increasing the length of the sentence is \$9,266.21 (\$18,269.81 - \$9,003.60). No significant incarceration cost increase will occur due to population growth.

- One offender will serve an additional year (an increase from one to two years). The cost per inmate at one year is \$18,269.81 (\$50.02 x 365.25 days). The cost per inmate at two years is \$36,539.62 (\$18,269.81 x 2). The additional cost from increasing the length of the sentence is \$18,269.81 per offender (\$36,539.62 - \$18,269.81). No significant incarceration cost increase will occur due to population growth.
- No additional resources will be required the Tennessee Bureau of Investigations or the Administrative Office of the Courts.

*\*Tennessee Code Annotated, Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director